REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 11, 12, 19, 26, and 32 are amended. Claim 29 is canceled without prejudice. Claims 1-28 and 30-34 are pending in this application.

35 U.S.C. § 112

Claims 3-5, 19-21, 24, and 26-29 stand rejected under 35 U.S.C. §112, second paragraph. Claim 29 has been canceled without prejudice. Applicant respectfully submits that claims 3-5, 19-21, 24, and 26-29, as originally written, comply with 35 U.S.C. §112, second paragraph.

With respect to 35 U.S.C. §112, second paragraph, MPEP 2106 V.A.2. states (emphasis added):

> Office personnel shall determine whether the claims set out and circumscribe the invention with a reasonable degree of precision and particularity. In this regard, the definiteness of the language must be analyzed, not in a vacuum, but always in light of the teachings of the disclosure as it would be interpreted by one of ordinary skill in the art. Applicant's claims, interpreted in light of the disclosure, must reasonably apprise a person of ordinary skill in the art of the invention. However, the applicant need not explicitly recite in the claims every feature of the invention. For example, if an applicant indicates that the invention is a particular computer, the claims do not have to recite every element or feature of the computer. In fact, it is preferable for claims to be drafted in a form that emphasizes what the applicant has invented (i.e., what is new rather than old). *In re Dossel*, 115 F.3d 942, 946, 42 USPQ2d 1881, 1884 (Fed. Cir. 1997).

Applicant respectfully submits that the use of "type", particularly when read in light of the specification, complies with the requirements of 35 U.S.C.

§112, second paragraph. For example, Applicant's specification at page 14, line 16 through page 15, line 24 discusses various types of accounts, such as credit cards, debit cards, gift certificates, rebates, rewards, cash, allowance, and so forth. Furthermore, some of these rejected claims recite specific types of accounts, such as "the particular type of fund comprises a gift certificate" in claim 20, "the particular type of fund comprises a rebate" in claim 21, and "wherein the types of payment accounts include one or more of: debit cards, gift certificates, rebates, allowances, and cash" in claim 27.

Thus, for at least these reasons, Applicant respectfully submits that claims 3-5, 19-21, 24, and 26-28 comply with 35 U.S.C. §112, second paragraph.

Applicant respectfully requests that the §112 rejections be withdrawn.

35 U.S.C. § 101

Claims 11-16 and 19-31 stand rejected under 35 U.S.C. §101. Claim 29 has been canceled without prejudice. Applicant respectfully disagrees and submits that claims 11-16 and 19-31, as originally written, comply with 35 U.S.C. §101. Nonetheless, in order to expedite prosecution and allowance of the pending claims, claims 11-16 and 19-31 have been amended to more clearly recite technology within the body of the independent claims.

Applicant respectfully requests that the §101 rejections be withdrawn.

35 U.S.C. § 102

Claims 11, 26, and 29-32 stand rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,590,038 to Pitroda (hereinafter "Pitroda").

Claim 29 has been canceled without prejudice. Applicant respectfully submits that claims 11, 26, and 30-32 are not anticipated by Pitroda.

Pitroda is directed to a universal electronic transaction card ("UET card") including receipt storage and system and methods of conducting electronic transactions (see, Title and Abstract). As discussed in the Abstract of Pitroda, the UET card is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical cards and the like. The UET card includes information storage elements, an input interface, a processor, a display, and a communications interface. The display is a touch-sensitive display which provides the user with a number of graphical images which enable the user to selectively chose the type of "credit card" to use for a transaction, and to then choose a particular credit card to use with the transaction. Sales transaction information is also transferred and stored in the UET card by the point of sales terminal to eliminate paper receipts and facilitate future storage, verification and analysis for billing, budgeting and financial management and using a home or office personal computer or other facilities.

With respect to amended claim 11, amended claim 11 recites:

> A method comprising:
> presenting a plurality of accounts of different types to a user,
> the plurality of accounts being included in an electronic wallet; and
> allowing the user to transfer value from one of the plurality of
> accounts to another of the plurality of accounts.

Applicant respectfully submits that Pitroda does not disclose the presenting and allowing of amended claim 11.

Pitroda discusses transferring account information and accumulated transactional information for a plurality of credit transactions for a service institution account from a UET card to a personal computer (see, col. 6, lines 62-65). Pitroda also discusses transmitting from a universal electronic transaction card to a service institution system identifying information for the user and for the service institution account (see, col. 7, lines 17-20).

However, Applicant respectfully submits that such transferring or transmitting does not disclose allowing a user to transfer value from one of a plurality of accounts included in an electronic wallet to another of the plurality of accounts included in the electronic wallet as recited in amended claim 11. The transferring of information from a UET card to a service or computer does not disclose transferring value from one "card" of the UET card to another "card" of that same UET card. Applicant respectfully submits that there is no mention of allowing such a transfer of value among "cards" of the same UET card, and thus Pitroda cannot disclose allowing a transfer from one account in an electronic wallet to another account in the electronic wallet. As such, Applicant respectfully that Pitroda cannot disclose the method of amended claim 11.

For at least these reasons, Applicant respectfully submits that amended claim 11 is allowable over Pitroda.

With respect to amended claim 26, amended claim 26 recites:

> A method comprising:
> maintaining, in an electronic wallet, a plurality of different types of payment accounts for a user;
> allowing the user to transfer payment information stored in the payment accounts to merchants to make purchases; and
> allowing the user to transfer funds between different ones of the plurality of different types of payment accounts.

Applicant respectfully submits that, similar to the discussion above regarding amended claim 11, Pitroda does not disclose allowing the user to transfer funds between different ones of the plurality of different types of payment accounts that are maintained in an electronic wallet as recited in amended claim 26. For at least these reasons, Applicant respectfully submits that amended claim 26 is allowable over Pitroda.

Given that claims 30-32 depend from amended claim 26, Applicant respectfully submits that claims 30-32 are likewise allowable over Pitroda for at least the reasons discussed above with respect to amended claim 26.

Applicant respectfully requests that the §102 rejections be withdrawn.

35 U.S.C. § 103

Claims 1-10, 12-19, 23-25, 27, 28, and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pitroda in view of U.S. Patent No. 5,883,810 to Franklin et al. (hereinafter "Franklin"). Applicant respectfully submits that claims 1-10, 12-19, 23-25, 27, 28, and 33 are not obvious over Pitroda in view of Franklin.

With respect to claim 1, claim 1 recites in part:

> identifying a plurality of accounts corresponding to the user;
> selecting a subset of the plurality of accounts to make available to the user, the subset including only those accounts that can be used by the user to make a purchase at the merchant server; and
> presenting the subset of accounts to the user.

Applicant respectfully submits that there is no disclosure or suggestion of such identifying, selecting, and presenting in Pitroda.

Pitroda does discuss that menus can be provided on the touch sensitive display to enable the user to select one service institution from a group of service institutions in order to proceed with a transaction using the card (see, col. 3, line 65-68). However, this is a user selection in Pitroda. There is no mention of any sort of selection of only those accounts that can be used by the user to make a purchase as recited in claim 1. Rather, the user in Pitroda can simply select one service institution from the menu – there is no mention or discussion in Pitroda of any sort of selection of a subset of accounts for presentation to the user, the subset including only those accounts that can be used by the user to make a purchase at the particular merchant server. Simply allowing a user to use menus to select information that is stored on his or her card does not disclose or suggest limiting the subset of accounts presented to the user to include only those accounts that can be used by the user to make a purchase at the merchant server.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that claim 1 is allowable over Pitroda in view of Franklin.

Given that claims 2, 6, 9, and 10 depend from claim 1, Applicant respectfully submits that claims 2, 6, 9, and 10 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1.

With respect to claim 3, claim 3 depends from claim 1 and Applicant respectfully submits that claim 3 is allowable over Pitroda in view of Franklin for

at least the reasons discussed above with respect to claim 1. Furthermore, claim 3 recites:

> One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

Applicant respectfully submits that there is no disclosure or suggestion in Pitroda of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use (see, col. 13, lines 59-62). For example, the user can select by touching box next to the 'credit' on the screen, all the credit cards available (see, col. 13, lines 62-64).

However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase at the merchant server, with those accounts being accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable. There is no mention in Pitroda of a merchant or merchant server identifying types of accounts that can be used and presenting only those accounts to the user as recited in claim 3. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type that are mapped to an account

type identified by the merchant server as being useable as recited in claim 3. Applicant respectfully submits that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Thus, without any mention, much less discussion, of such accounts in Pitroda, Applicant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable as recited in claim 3.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that claim 3 is allowable over Pitroda in view of Franklin.

With respect to claim 4, claim 4 depends from claim 1 and Applicant respectfully submits that claim 4 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 4 recites:

> One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

Applicant respectfully submits that there is no disclosure or suggestion in Pitroda of the accounts that can be used to make a purchase being those accounts of a type

identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

As discussed above, Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use. However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase at the merchant server, with those accounts being accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to the an account of a type identified by the merchant server. There is no mention in Pitroda of a merchant or merchant server identifying types of accounts that can be used and presenting only those accounts to the user as recited in claim 4. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type from which funds can be added to an account of a type identified by the merchant server as recited in claim 4. Applicant respectfully submits that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Thus, without any mention, much less discussion, of such accounts in Pitroda, Applicant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server as recited in claim 4.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that claim 4 is allowable over Pitroda in view of Franklin.

Given that claim 5 depends from claim 3, Applicant respectfully submits that claim 5 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 3.

With respect to claim 7, claim 7 depends from claim 1 and Applicant respectfully submits that claim 7 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 7 recites:

> One or more computer readable media as recited in claim 1, wherein the plurality of instructions further cause the one or more processors to perform acts including:
> receiving a user selection of two or more of the subset of accounts;
> allowing the user to combine funds from the selected accounts into a combined account; and
> forwarding, to the merchant server, payment information corresponding to the combined account.

Applicant respectfully submits that there is no disclosure or suggestion in Pitroda of such receiving, allowing, and forwarding.

As discussed above, Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use. However, nowhere is there any mention or discussion in Pitroda of any combining of funds from two or more user-selected accounts as recited in claim 7. Applicant respectfully submits that the merc

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discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest combining funds from two or more user-selected accounts as recited in claim 7.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that claim 7 is allowable over Pitroda in view of Franklin.

Given that claim 8 depends from claim 7, Applicant respectfully submits that claim 8 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 7.

Furthermore, Applicant notes that there is no assertion in the March 25 Office Action of where the elements of claims 7, 8, and 9 are allegedly taught by the cited references (see, March 25 Office Action at pp. 8-9). Accordingly, if the rejection of claims 7, 8, and 9 is maintained, Applicant respectfully requests that the Office identify which portions of the cited references are believed to teach the various elements of claims 7, 8, and 9.

With respect to claims 12-16, claims 12-16 depend from amended claim 11 and Applicant respectfully submits that Pitroda does not disclose or suggest the presenting and allowing of amended claim 11 as discussed above. Accordingly, Applicant respectfully submits that claims 12-16 are allowable over Pitroda at least because of their dependency on amended claim 11. Furthermore, Applicant respectfully submits that Franklin is not cited as curing the deficiencies of Pitroda discussed above with respect to amended claim 11. As such, for at least these

reasons Applicant respectfully submits that claims 12-16 are allowable over Pitroda in view of Franklin.

With respect to claim 17, claim 17 recites:

> A system comprising:
> a wallet server to store a plurality of payment accounts for a user; and
> a user interface component, coupled to the wallet server, to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another.

Applicant respectfully submits that Pitroda does not disclose or suggest a wallet server and user interface component as recited in claim 17.

As discussed above, Pitroda discusses transferring account information and accumulated transactional information for a plurality of credit transactions for a service institution account from a UET card to a personal computer (see, col. 6, lines 62-65), and also transmitting to a service institution system from a UET card identifying information for the user and for the service institution account (see, col. 7, lines 17-20). Pitroda also discusses a point of sales (POS) computer interfacing directly with a communication interface unit (CIU) to read/write information to and from a UET card and communicate with the main central computer of the credit card or bank card company for customer data base, credit verification, etc. (see, col. 10, lines 9-13).

However, Applicant respectfully submits that none of transferring account information from a UET card to a personal computer, transmitting identifying information for a service institution account from a UET card to a service institution system, and a POS computer reading/writing information to and from a

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UET card discloses or suggests a user interface component to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another. All of these discussions in Pitroda discuss transferring information between a UET card and another device (a personal computer, a service institution system, or a POS computer). There is no mention in Pitroda in any of this transmitting, transferring, or reading/writing of Pitroda of transferring value from one account on the UET card to another account on the UET card. As such, Applicant respectfully submits that Pitroda cannot disclose or suggest a wallet server to store a plurality of payment accounts for a user, and a user interface component to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another as recited in claim 17. Without describing transferring value from one account on the UET card to another account on the UET card, Applicant respectfully submits that Pitroda cannot disclose or suggest allowing transferring value from one payment account stored by a wallet server to another payment account stored by the wallet server as recited in claim 17.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that claim 17 is allowable over Pitroda in view of Franklin.

Given that claim 18 depends from claim 17, Applicant respectfully submits that claim 18 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 17.

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With respect to amended claim 19, amended claim 19 recites:

> A method comprising:
> receiving a request from a user to make a purchase using a particular type of fund included in an electronic wallet of the user;
> converting payment information corresponding to the particular fund to a credit card format; and
> communicating the converted payment information to a merchant for the purchase.

Applicant respectfully submits that Pitroda does not disclose or suggest the receiving, converting, and communicating of amended claim 19.

As discussed above, the UET card of Pitroda is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical cards and the like. The UET card is capable of functioning as a number of different credit cards or other transaction or identification cards, which provides the user of the UET card with the capability of selecting one of many such cards for use in a particular transaction (see, col. 1, lines 20-25). Additionally, Pitroda discusses that in order to activate the UET card for a particular credit card service or other service institution, authorization data enabling the UET card to function as a "credit card" or other type of "card" for that institution is transmitted to the UET card (see, col. 15, lines 40-64).

However, Applicant respectfully submits that nowhere in Pitroda is there any discussion or suggestion of the UET card being used to convert payment information corresponding to a particular fund to a credit card format, and communicating the converted payment information to a merchant for the purchase as recited in amended claim 19. The cited portion of Pitroda discusses that the UET card is capable of functioning as a number of different credit cards or other

transaction or identification cards, but the mere disclosure that the UET card is capable of functioning as a number of different credit cards or other transaction or identification cards does not disclose or suggest any sort of converting of payment information to a credit card format. There is no mention of any sort of converting information to a particular credit card format in Pitroda. Thus, Applicant respectfully submits that Pitroda cannot disclose or suggest the receiving, converting, and communicating of amended claim 19.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that amended claim 19 is allowable over Pitroda in view of Franklin.

Given that claims 22-25 depend from amended claim 19, Applicant respectfully submits that claims 22-25 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to amended claim 19.

With respect to claims 27, 28, and 33, claims 27, 28, and 33 depend from amended claim 26 and Applicant respectfully submits that Pitroda does not disclose or suggest allowing the user to transfer funds between different ones of the plurality of different types of payment accounts that are maintained in an electronic wallet as recited in amended claim 26 as discussed above. Accordingly, Applicant respectfully submits that claims 27, 28, and 33 are allowable over Pitroda at least because of their dependency on amended claim 26. Furthermore, Applicant respectfully submits that Franklin is not cited as curing the deficiencies of Pitroda discussed above with respect to amended claim 26. As such, for at least

these reasons Applicant respectfully submits that claims 27, 28, and 33 are allowable over Pitroda in view of Franklin.

With respect to claim 34, it appears from the March 25 Office Action (p. 15) that Christensen is being relied on as disclosing claim 34.

Christensen is directed to an electric couponing method and apparatus (see, Title). A package of data, including coupon data, is generated for consumers on a particular list and transmitted to those consumers (see, col. 4, lines 17-21). Demographic and identification data received from a consumer is then entered into a database, and a validation code is transmitted to the consumer's computer so as to allow the consumer's computer to generate a coupon from the coupon data in the package of data (see, col. 4, lines 21-26). The consumer may redeem the printed coupon(s) at a retailer in the same manner as prior art printed coupons (see, col. 10, lines 22-24). The retailer may scan these coupons using traditional scanning equipment, to determine the correct discount or rebate to apply to a product, or may use manual redemption techniques (e.g., reading printed indicia on the coupon to determine the discount or rebate for the indicated product) (see, col. 10, lines 24-30).

In contrast, claim 34 recites:

> One or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors, causes the one or more processors to perform acts including:
> maintaining a gift certificate account including payment information corresponding to the gift certificate account;
> presenting, to the user, the gift certificate account as a gift certificate; and
> presenting, to a merchant, the gift certificate account as a credit card.

Applicant respectfully submits that Christensen does not disclose or suggest the maintaining and presenting of claim 34.

Christensen is directed to printing out coupons that can be redeemed in the same manner as prior art printed coupons, including having the coupons scanned in by scanning equipment or alternatively having the coupons read and manually entered. Nowhere in Christensen is there any discussion of presenting a gift certificate account to a user as a gift certificate, and presenting the same gift certificate account to a merchant as a credit card. The coupons of Christensen are presented simply as that: coupons. There is no mention in Christensen of presenting the coupons of Christensen as a credit card, much less of presenting the coupons to the user as something different than what they are presented to the merchant as. As such, Applicant respectfully submits that Christensen cannot disclose or suggest the maintaining and presenting of claim 34.

With respect to Pitroda and Franklin, the March 25 Office Action acknowledges that Pitroda and Franklin do not disclose the maintaining and presenting of claim 34 (see, p. 15). As such, for at least these reasons Applicant respectfully submits that claim 34 is allowable over Christensen, as well as Pitroda in view of Franklin and further in view of Christensen.

Claims 20 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pitroda in view of Franklin and further in view of U.S. Patent No. 5,710,886 to Christensen et al. (hereinafter "Christensen"). Applicant respectfully submits that claims 20 and 21 are not obvious over Pitroda in view of Franklin and further in view of Christensen.

With respect to claims 20 and 21, given that claims 20 and 21 depend from claim 19, Applicant respectfully submits that claims 20 and 21 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 19. Furthermore, Applicant respectfully submits that Christensen is not cited as curing the deficiencies of Pitroda in view of Franklin discussed above with respect to claim 19. As such, for at least these reasons Applicant respectfully submits that claim 19 is allowable over Pitroda in view of Franklin and further in view of Christensen, and thus that claims 20 and 21 are allowable over Pitroda in view of Franklin and further in view of Christensen for at least these reasons.

Applicant respectfully requests that the §103 rejections be withdrawn.

Conclusion

Claims 1-28 and 30-34 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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